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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--|
| Attorney Docket No. | M8540/279473 |
| First Inventor | David E. Slutz et al. |
| Title | CVD Diamond-Coated Composite Substrata Containing a Carbide-forming Material and Ceramic Phases and Method for Making Same |
| Express Mail Label No. | EV333522569US |

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

| | | |
|--|--|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing) | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) | |
| 2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. | 8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) | |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages 45] (preferred arrangement set forth below) | a. <input type="checkbox"/> Computer Reader Form (CRF) | |
| - Descriptive title of the Invention | | |
| - Cross Reference to Related Applications | | |
| - Statement Regarding Fed sponsored R & D | | |
| - Reference to sequence listing, a table, or a computer program listing appendix | | |
| - Background of the Invention | | |
| - Brief Summary of the Invention | | |
| - Brief Description of the Drawings (if filed) | | |
| - Detailed Description | | |
| - Claim(s) | | |
| - Abstract of the Disclosure | | |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 17] | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) | |
| 5. Oath or Declaration [Total Sheets 3] | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney | |
| a. <input type="checkbox"/> Newly executed (original or copy) | 11. <input type="checkbox"/> English Translation Document (if applicable) | |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 | |
| i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | | 13. <input type="checkbox"/> Preliminary Amendment |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) |
| | | 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) |
| | | 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. |
| | | 17. <input type="checkbox"/> Other: |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:Prior application information: Examiner _____ Art Unit: _____
For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | |
|--|-----------------------------------|----------|---|
| <input checked="" type="checkbox"/> Customer Number: | 23370 | OR | <input type="checkbox"/> Correspondence address below |
| Name | | | |
| Address | | | |
| City | State | Zip Code | |
| Country | Telephone | Fax | |
| Name (Print/Type) | Registration No. (Attorney/Agent) | | 35,799 |
| Signature | | | 7/25/03 |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

21906 U.S. PTO
10/627931
07/25/03

17607 U.S. PTO
07/25/03

DUPLICATES

PTO/SB/17 (01-03)

Approved for use through 01/31/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** 1,674.00

Complete if Known

| | |
|----------------------|-----------------------|
| Application Number | |
| Filing Date | 07/25/2003 |
| First Named Inventor | David E. Slutz et al. |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | M8540/279473 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

11-0855
KILPATRICK STOCKTON LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Fee Code (\$) | Fee | Small Entity | Fee Code (\$) | Fee | Fee Description | Fee Paid |
|---------------------|---------------|-------------|---------------|---------------|-----|------------------------|----------|
| 1001 | 750 | | 2001 | 375 | | Utility filing fee | 750 |
| 1002 | 330 | | 2002 | 165 | | Design filing fee | |
| 1003 | 520 | | 2003 | 260 | | Plant filing fee | |
| 1004 | 750 | | 2004 | 375 | | Reissue filing fee | |
| 1005 | 160 | | 2005 | 80 | | Provisional filing fee | |
| SUBTOTAL (1) | | (\$) | 750.00 | | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Fee from Extra Claims below | Fee Paid |
|--------------------|----|-----------------------------------|------------|
| Total Claims | 48 | -20** = 28 | x 18 = 504 |
| Independent Claims | 8 | -3** = 5 | x 84 = 420 |
| Multiple Dependent | | | |

| Large Entity | Fee Code (\$) | Fee | Small Entity | Fee Code (\$) | Fee | Fee Description | Fee Paid |
|---------------------|---------------|-------------|---------------|---------------|-----|--|----------|
| 1202 | 18 | | 2202 | 9 | | Claims in excess of 20 | |
| 1201 | 84 | | 2201 | 42 | | Independent claims in excess of 3 | |
| 1203 | 280 | | 2203 | 140 | | Multiple dependent claim, if not paid | |
| 1204 | 84 | | 2204 | 42 | | ** Reissue independent claims over original patent | |
| 1205 | 18 | | 2205 | 9 | | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | (\$) | 924.00 | | | | |

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee | Fee Code (\$) | Fee | Fee Description | Fee Paid |
|-----------------------------------|--------|---------------|-------------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) | | (\$) | 0.00 | | |

(Complete if applicable)

| Name (Print/Type) | Registration No. (Attorney/Agent) | Telephone |
|-------------------|--------------------------------------|--------------|
| Bruce D. Gray | 35,799 | 404.815.6218 |

Signature

Date

7/26/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

| | | |
|---|----------------------|--|
| NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i) | First Named Inventor | David E. Slutz et al. |
| | Title | CVD Diamond-Coated Composite Substrate Containing a Carbide-forming Material and Ceramic Phases and Method for Making Same |
| | Atty Docket Number | M8540/279473 |

I hereby certify that the invention disclosed in the attached application **has not and will not** b the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date



Signature

Bruce D. Gray, Reg. No. 35,799

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**